

INFORMATION
-------------

**AGENDA ITEM**: Access Services: Multitype Pilot Loan Programs

**GENERAL OVERALL PROGRAM UPDATES**:

**INTERLIBRARY LOAN PILOT PROGRAM:**

As a result of the discussion at the February 2001 Library of California Board meeting regarding membership requirements for participation in the current interlibrary loan pilot program, staff sent an update notice (Exhibit A) to all libraries participating in the pilot program. The libraries were advised that in addition to membership in a Library of California regional library network being a requirement for continued participation in the pilot program as of July 1, 2001, only loan transactions with other members of regional library networks will be eligible for state compensation, also effective July 1, 2001. The interlibrary loan pilot program will then be in compliance with current Library of California statute and regulations.

The application packet for joining the pilot program, available online at the Library of California Web site, also has been revised to reflect the membership and compensation requirements.

In the time since the membership and compensation requirements have been announced, staff has received questions from the library community regarding the applicability of these Library of California statutory requirements to all libraries participating in both the CLSA and LoC loan compensation programs. Staff has requested opinions from the General Counsel regarding these issues:

- 1) Can a non-public library that is not a member of the Library of California now begin requesting reimbursement for interlibrary loans to public libraries from CLSA funds, under the provisions of CLSA?
- 2) In order to receive state reimbursement for interlibrary loan transactions, must any library be a member of the Library of California and only claim reimbursement for interlibrary loan transactions with other Library of California members, regardless of the funds (CLSA or LoC) used for payment?
- 3) Does the fact that the California Library Services Act and the Library of California Act have different requirements for interlibrary loan reimbursement constitute a conflict where the Library of California Act controls, as stated in Section 18870 (c) of the Act?

At the time this report was written, counsel's opinions had not been issued. The Board will be updated on the status of the opinions at its April meeting.

Statistics for the third quarter (January – March 2001) of the interlibrary loan pilot program will not be compiled before the deadline for assembling and mailing the Board's April agenda packet. These statistics will be included in the June packet.

Currently 116 non-public libraries are participating in the interlibrary loan pilot program. It should be noted that some of these libraries have informally advised staff that they may cease participating in the pilot program if, after they investigate what local procedural modifications will be necessary in their automated systems and manual work flow in order to comply with the requirement to only submit transactions with other Library of California members, they determine that the compensation will not be worth the additional effort. However, at this time no library has stopped participating for this reason.

**RELATED ISSUE TO COME BEFORE THE BOARD IN THE FUTURE:** What funding formulas are appropriate for the loan components of Library of California access services?

Relevant Committee: Access Services  
Staff Liaison: Tom Andersen

## MEMORANDUM

DATE: February 26, 2001

TO: Non-public libraries participating in the Library of California interlibrary loan pilot program

FROM: Tom Andersen  
Library Development Services  
California State Library  
(916) 653-7391  
tandersen@library.ca.gov

SUBJ: Additional requirements for claiming loan transactions

On December 18, 2000, I sent a memo to all participants in the Library of California interlibrary loan pilot program explaining that membership in the Library of California would be required of all academic, special, and school libraries that wanted to continue participating in the program, effective July 1, 2001. Although that memo was prompted by Library of California Board action at its November 2000 meeting, in fact the membership requirement already exists in the current Library of California statute and regulations.

Library of California Act (*Education Code, Section 18844 (a)*):

“Each eligible library shall be reimbursed fully to cover the handling costs of each interlibrary loan among members of the regional library networks.”

Library of California Regulations (*California Code of Regulations, Title 5, Section 20322 (b)*):

“An interlibrary loan shall result in reimbursement under Education Code Section 18844 (a) if it consists of the loan of a library material in any format or if it consists of the provision of a copy in lieu of loan of a library material from one member of a regional library network to another member of any regional library network statewide.”

We had planned on phasing in the remainder of the membership requirement – that the borrowing library must be a member of the Library of California in order for the lending library to claim reimbursement – at a later date. However, we have been advised that

as we implement Library of California programs, laws and regulations currently in force must be followed and cannot be used as placeholders for later actions.

Therefore the Library of California Board has requested that I notify all academic, special, and school libraries currently enrolled in the interlibrary loan pilot program that **effective, July 1, 2001, only claims for interlibrary loan transactions with other Library of California members will be eligible for state compensation.**

In order to assist all libraries statewide in determining which libraries are members of the Library of California, the State Library soon will mount a comprehensive membership database on the Library of California Web site ([www.library.ca.gov/loc/](http://www.library.ca.gov/loc/)). This will include a complete and current roster of all institutions approved by the Library of California Board as members of the Library of California.

At this time we do not anticipate any changes in the method for claiming interlibrary loan reimbursements. In other words, we expect that you will continue to submit quarterly claim reports that contain total loans to the four types of libraries, without listing each borrowing library.

The Library of California Board and staff realize that libraries may experience some difficulty in integrating these legal membership requirements into their circulation systems and procedures. However, the law does reflect the intent that membership in the Library of California provide benefits, including compensation for interlibrary loan transactions, in recognition of resource-sharing efforts.

If you have questions or comments, please do not hesitate to contact me at (916) 653-7391 or [tandersen@library.ca.gov](mailto:tandersen@library.ca.gov). The following Library of California staff members also are knowledgeable about the interlibrary loan pilot program and are available to assist you:

Sandy Habbestad, CLSA Program Administrative Assistant  
(916) 653-7532; [shabbestad@library.ca.gov](mailto:shabbestad@library.ca.gov)

Diana Paque, Library of California Director  
(916) 653-7183; [dpaque@library.ca.gov](mailto:dpaque@library.ca.gov)